

Revised Appendix 7 (1/27/23)

Ordinance

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ZONING ORDINANCE TEXT AMENDMENT AND ZONING ORDINANCE MAP AMENDMENT APPROVING EXPANSION OF SCIENCE PARK PLANNED DEVELOPMENT DISTRICT #49 TO INCLUDE PARCELS OF LAND KNOWN AS 88 MUNSON STREET (MAP 257/BLOCK 0356/PARCEL 02600), 110 MUNSON STREET (MAP 257/BLOCK 0356/PARCEL 02700) and 116 MUNSON STREET (MAP 257/BLOCK 0356/PARCEL 02500) (collectively “NEW PARCEL M”), AMENDMENT OF THE GENERAL PLANS FOR PORTIONS OF EXISTING PARCEL L and PARCEL B, DIMENSIONAL, PARKING, LOADING and OTHER DEVIATIONS FROM THE REQUIREMENTS OF PDD #49, THE IH ZONE AND THE BA ZONE FOR NEW PARCEL M AND FOR EXISTING PARCELS B, C and L, AND USES FOR NEW PARCEL M AND ADDITIONAL USES FOR EXISTING PARCELS B AND C.

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WHEREAS, on April 4, 1983, the Board of Aldermen approved a Planned Development District (“PDD”) for Science Park pursuant to Section 65 of the New Haven Zoning Ordinance (the “Zoning Ordinance”), PDD #49, which included 35 acres of land located for the most part at the southwest and the southeast corners of the intersection of Division Street and Winchester Avenue and which property was identified as Parcels A, B, C, D, and E on the General Plans for PDD #49; and

WHEREAS, on May 15, 1989, the Board of Aldermen amended PDD #49 to include 10 additional acres located to the south of the original PDD #49, which additional property was depicted on the General Plans for the amended PDD #49 as Parcels G, L and K; and

WHEREAS, PDD #49 was subsequently amended on May 15, 1989 to permit a restaurant, lounge and banquet hall in connection with a conference center on Parcel A and was thereafter amended in 2006 to permit a secondary school on Parcel C; and

WHEREAS, PDD #49 was again amended by the Board of Aldermen on September 7, 2010, to include 11.6 additional acres of land located on Winchester Avenue, Munson Street and Mansfield Street, which additional property was designated in the General Plans as Parcel

L and which amendment permitted residential, retail, medical, commercial, and high technology uses on Parcel L and on certain existing Parcels; and

WHEREAS PDD #49 was subsequently amended on two additional occasions, once by the Board of Aldermen in 2014 to allow primary and secondary schools on Parcel B and thereafter on October 27, 2021, by the Board of Alders to expand the boundaries of Parcel K and to permit a residential use on that Parcel; and

WHEREAS, Science Park Development Corporation (“SPDC”) and its affiliates, as more specifically delineated in the Petition, (collectively “SPDC”) are the owners of a portion of Parcel B, Parcel C and Parcel L as well as New Parcel M; and

WHEREAS, SPDC together with Winchester Holdco LLC, the developer of New Parcel M, and Parcels L, C and a portion of B, filed a petition/application with the City Clerk and with the Board of Alders pursuant to §§ 64 and 65 of the Zoning Ordinance (the “Petition”) together with General Plans to amend the Zoning Ordinance and the Zoning Ordinance Map to (i) extend the boundaries of PDD #49 to include New Parcel M so that the parking lot on that site can be transformed into a new office/lab or mixed use residential/retail development, (ii) amend the General Plans for Parcel L to permit the demolition of the dilapidated and dangerous structures on the eastern side of Parcel L, known as the Eastern Courtyard and to permit the construction of a new building on that site, (iii) amend the general plans for Parcel B to replace the parking lot at the corner of Division Street and Winchester Avenue with a new building, (iv) amend the Use Table for PDD #49 (Appendix 1) to set forth the uses for New Parcel M and to provide for certain additional uses for Parcels B and C, in order to permit the construction of residential and retail uses on these

Parcels,, and (v) allow certain dimensional, parking and loading deviations from the controls of PDD #49, the requirements of the BA (General Business) zone for New Parcel M and of the IH (Heavy Industrial) zone for Parcels B, C and L in order to reduce the need for surface parking lots and loading spaces, allow for more densely designed developments and provide that new construction will be feasible and architecturally contextual with the historic structures in Science Park; and

WHEREAS, the Petition was referred to the Board of Alders, which thereafter referred the Petition to the City Plan Commission for a hearing and report as required by § 64(d) of the Zoning Ordinance Regulations and Article XIII, Sections 2A and 2E of the Charter of the City of New Haven; and

WHEREAS, the City Plan Commission held a hearing on February 1, 2023 on the Petition after providing due notice of the hearing on the Application as required by § 64(d) of the Zoning Ordinance, Article XIII, Secs. 2A and 2E of the City Charter and state law; and

WHEREAS, the City Plan Commission rendered a report after taking into account factors set forth in §§ 64(d) and 65 of the Zoning Ordinance and Article XIII, Section 2C of the City Charter and favorably recommended the approval of the Petition and the General Plans, as set forth in City Plan Commission Report No. 1626-01; and

WHEREAS, the Joint Legislation and Tax Abatement Committee of the Board of Alders considered the Petition on February 7, 2023 and rendered a favorable report recommending approval of the Petition; and

WHEREAS, pursuant to § 65(d) of the Zoning Ordinance, the Petition was referred to the City's Department of Transportation, Traffic and Parking for an advisory report on the traffic impact of the changes proposed by the Petition; and

WHEREAS, the advisory report issued by the City's Department of Transportation, Traffic and Parking indicated that with the traffic improvements and mitigating measures proposed by the Petition, there will be no significant adverse impact from the traffic to be generated by the changes proposed in the Petition; and

WHEREAS, the changes requested in the Petition are in accordance with the Comprehensive Plan of the City and are consistent with the standards set forth in Article XIII, Secs. 2B and 2C of the City Charter, as described more particularly in the Petition; and

WHEREAS, the Petition satisfies the objectives for a planned development set forth in § 65 of the Zoning Ordinance, in that the changes proposed, as set forth in more detail in the Petition, are:

(1) In accordance with the comprehensive plans of the City, in particular, the Comprehensive Plan of Development of the City of New Haven entitled Vision 2025; and

(2) Composed of such uses, and in such proportions, as are most appropriate and necessary for the integrated functioning of the planned development and for the City; and

(3) So designed in their space allocation, orientation, texture, materials, landscaping and other features as to produce an environment of stable and desirable character, complementing the design and values of the surrounding neighborhood, and showing such unusual merit as to reflect credit upon the developer and upon the City; and

(4) So arranged as to provide a minimum of 250 square feet of usable open space per dwelling unit on the Tract, subject to the specific minimum standards enumerated in §15(a)(1)g of the Zoning Ordinance.

NOW THEREFORE, BE IT ORDAINED by the Board of Alders of the City of New Haven that (i) the Petition and General Plans are hereby approved, (ii) the text of the Zoning Ordinance with respect to PDD #49 is hereby amended in the manner requested by the Petition to include New Parcel M, the changes to the General Plans for Parcels L and B, the uses set forth in Appendix 1 to the Petition, and the dimensional, parking and loading modifications set forth in Appendix 5 to the Petition, and that (iii) the Zoning Map is hereby amended to include New Parcel M as part of PDD #49.

BE IT FURTHER ORDAINED that pursuant to subsection 9-50(b)(3)(ii)1 of the City of New Haven's Code of Ordinances, the City's Delay of Demolition Ordinance, § 9-50 shall not apply to the buildings listed in the Petition and shown on the General Plans as being potentially slated for demolition.

BE IT FURTHER ORDAINED that the State Historic Preservation Office letter dated December 23, 2022 and the requirements therein are incorporated herein and approval is based on compliance with this letter.

BE IT FURTHER ORDAINED that the aforesaid Zoning Ordinance text amendment and Zoning Map amendment shall take effect one day after publication of the information pertaining to the Zoning Ordinance text amendment and to the Zoning Map amendment required by Article IV, Section 3.A(2) of the City Charter but in no event less than one week after enactment of this Zoning Text Amendment and this Zoning Map Amendment.

Except as amended herein the Zoning Ordinance and the Zoning Map of the City of New Haven shall remain in full force and effect.